

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Meng Huang,

Plaintiff

vs.

Case No. 2:19-cv-1976

Judge James L. Graham

DATE: September 15, 2021

The Ohio State University and
Giorgio Rizzoni,
Defendants

NOTICE OF FINAL PRETRIAL AND TRIAL

This case is set for final pretrial on **Friday, March 25, 2022 at 10:30 a.m.** Please report to Room 243, at 85 Marconi Blvd., Columbus, Ohio. This case is set for trial on **Monday, April 25, 2022 at 9:00 a.m.** on a standby basis for a period of two weeks.

TRIAL ASSIGNMENTS--TRAILING DOCKET

The Court utilizes a modified "trailing docket." Cases will be scheduled in chronological order in two-week segments. Five to eight civil cases will be scheduled for trial during each setting and an additional number of criminal cases may also be scheduled which will take precedence under the Federal Speedy Trial Act. Cases so scheduled will be held on a standby basis until preceding cases are disposed of. Counsel will not be required to "stand-by" for more than two weeks. If your case is not reached, it will be given preference the next time it is set.

You are responsible for monitoring the progress of your case. To do so, please call my Courtroom Deputy Clerk, Ms. Denise Shane at 614-719-3205. If your case is settled, you should immediately notify Ms. Shane or contact my office at 614-719-3200. **NOTICE: If a case is settled after 12:00 noon on the business day immediately preceding the trial date, the Court may assess against either or both parties the cost of summoning a jury. A case will be considered settled for the purposes of this provision when notice thereof is given to the Court. A hearing will be held before such costs are assessed.**

FINAL PRETRIAL ORDER

Counsel are hereby **ORDERED** to submit a joint Final Pretrial Order to the Court no later than three (3) days prior to the Final Pretrial. Counsel are required to follow the format of the Final Pretrial Order which has been enclosed with this notice. It is counsel's duty to confer in a good faith effort to reach agreement on all items referred to in this order. Trial counsel for the parties shall be present at the final pretrial conference together with their client(s) or a representative thereof

prepared with full authority to discuss all aspects of the case including pleadings, scheduling and settlement.

POLICY ON CONTINUANCES

Ordinarily counsel will receive at least six months advance notice of trial dates.

The Court will defer to a prior setting of any court of record if advised within fifteen (15) days following notice of trial. Continuances may be granted for reasons of health of trial counsel or parties. It is my general policy to deny continuances for any other reason.

DISCOVERY

Ordinarily a discovery cutoff date will have been specified in a prior scheduling order. Discovery must be completed by that date. If no discovery cutoff date has been specified, the discovery shall end ninety (90) days prior to the trial date.

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by rule prior to that date.

Counsel may, by agreement, continue discovery beyond the cutoff date. No supervision or intervention by the Court, such as a Rule 37 proceeding, will occur after the cutoff date without a showing of extreme prejudice. No trial date will be vacated because of information acquired in post-cutoff discovery. The Court expects that discovery disputes will ordinarily be resolved by counsel, and discovery motions filed without compliance with S. D. Ohio Rule 37.2 will not be accepted.

Attorneys fees will normally be assessed against the losing party pursuant to Fed. R. Civ. P. 37. If a pending discovery motion may jeopardize a trial date, counsel shall notify the Magistrate Judge assigned to the case.

DISPOSITIVE MOTIONS

Ordinarily a cutoff date for the filing of dispositive motions will have been specified in a prior scheduling order. Dispositive motions must be filed on or before that date. If no cutoff date has previously been established, dispositive motions shall be filed no later than sixty (60) days before the trial date.

TRIAL BRIEFS

Trial briefs are due on the Friday before the trial.

JURY INSTRUCTIONS

The parties shall confer in advance of the final pretrial conference and agree upon proposed jury instructions which shall

be presented to the Court seven (7) days before the trial. If the parties are unable to agree on how the jury should be instructed as to any issue they shall each submit their proposed instructions on any such issue(s). There is reserved to counsel the right to submit supplemental requests for instructions during trial, or at the conclusion of the evidence, on matters that cannot be reasonable anticipated.

All proposed jury instructions shall be submitted to chambers by email and may also be filed on the docket of the case.

TRIAL PROCEDURE

A copy of the Courts' instructions on trial procedures is included in this packet.

JAMES L. GRAHAM

UNITED STATES DISTRICT JUDGE

